

# HOUSE . . . . . No. 4725

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## The Commonwealth of Massachusetts

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PRESENTED BY:

**Frank I. Smizik**  
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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Preserving Public Trust Rights in Land Affected by Ocean Erosion.

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PETITION OF:

NAME:

Frank I. Smizik

DISTRICT/ADDRESS:

15th Norfolk

# The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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## An Act Preserving Public Trust Rights in Land Affected by Ocean Erosion.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 35 of Chapter 91 of the General Laws, as appearing in the 2008 Official  
2 Edition, is hereby amended by inserting, after the last sentence of the first paragraph, the  
3 following: -

4 “Where sea level rise, storms, or other natural processes have caused the landward or lateral  
5 movement of a barrier beach into an area which was previously occupied by the bottom of any  
6 Great Pond or onto any other public land, the portion of the barrier beach relocated into the  
7 former bottom of the Great pond or onto other public land shall be and remain in public  
8 ownership.”